

MINUTE ORDER

MANIGAULT V. MACY'S EAST, LLC ET AL, 06cv03337 (FB)(MDG)

This order summarizes the rulings made on the record at a conference on January 22, 2009 with respect to the letter motion to compel of defendant Macy's East, LLC.

1. Because the Court finds that the plaintiff has put her mental condition at issue, this aspect of defendant's motion to compel is granted. In lieu of providing the medical records, plaintiff may provide (a) a list of medical service providers, other than pharmacists, from 2001 to the present and (b) duly completed and executed HIPAA compliant authorizations for release of her records.

2. Because the Court finds that the records of plaintiff's employment with the Federal Reserve Board may yield relevant information, this aspect of defendant's motion is also granted. Since plaintiff's counsel advises that neither he nor his former partner have the records, defendant shall have the right to seek such records directly from the Federal Reserve Board.

3. All parties must maintain the confidentiality of all medical and employment records obtained. Counsel for defendants may not publically disclose such records without first giving notice to plaintiff and, absent consent from plaintiff, must obtain leave of court.

4. The rulings are without prejudice to any future motion to limit admissibility of such records at trial.

SO ORDERED.

Dated: Brooklyn, New York
January 23, 2009

/s/_____
MARILYN D. GO
UNITED STATES MAGISTRATE JUDGE